

The Times

In Two Parts: 20 Pages.

ON ALL NEWS STANDS
TRAINS AND STREETS 5 CENTS

TUESDAY, APRIL 21, 1903.

PER WEEK...20 CENTS
PER MONTH...\$9 A YEAR.

LOCAL WEATHER REPORT.

YESTERDAY: Maximum temperature, 68 deg.; minimum, 55 deg. Wind, 5 a.m. calm; 2 p.m. southwest, velocity 10 miles. At midnight the temperature was 56 deg.; clear.

TODAY: At 3 a.m. the temperature was 55 deg.; clear.

Forecast for Los Angeles and vicinity: Fair; fresh west wind.

San Francisco and vicinity: Cloudy; probably light showers; fresh southwest wind.

The complete weather report, including Comparative Temperatures, will be found on page 8.

POINTS OF THE NEWS

IN TODAY'S ISSUE OF

The Times

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SYNOPSIS.

THE CITY. Huntington to keep up war against steam roads by cutting rates.... Los Angeles musical prodigy dies in Europe.... "Antonia" figuring in Rambone's strange death.... Director-General of Geological Survey here.... Miner lost in blinding snowstorm on Baldy.... Hotel cashier marries rich Charles Freeman. Girl in pig-tail accused of robbery. Col. G. D. Green's daughter gets divorce.... Dr. Schiffman sued by man with bad tooth.... Tunnel Club raised. Clergyman's son confessed burglar. Society vaudeville makes great hit. Bloopers located in Los Angeles. Standard plans more pipe lines. Dept. of Public Works decides against 5-cent blanket franchise.... Bug in "Elys" park.... Melrose jury discharged. Footpad James Murphy sent up for twenty years.... Frank Metzger on trial for holding up Pasadena car. Menulty and McDonald on trial for robbery.... Complaint against Mosley.... Excavation ordinance passed in amended form.

SOUTHERN CALIFORNIA. Pasadena citizens agitating for a wider thoroughfare.... Senator Hubbell laid in the grave at Ontario.... Redlands Smiley Heights will be sold. Highwaymen in Whittier.... Santa Monica leaps into fifth class.... Ventura improvement bonds sold.... State medical society to meet today at Santa Barbara.... "Butcher Air" arrested in San Pedro for bromine. Japanese abalone divers invade Catalina waters.

PACIFIC SLOPE. War of San Francisco "gas" companies begins with cut to 7 cents per 1000 feet.... Circumstantial evidence against Mendocino stage robbery suspect.... San Francisco to get free phones for retailing telephone Company taxes.... Spring Valley Water Company legal fight against lower water rate.... Twenty new cases of typhoid at Palo Alto, making total of almost a hundred.... Derby-Murphy wedding in San Jose.... Robert Hess of San Francisco arrested for perjury for accusing Ludlow of acid-throwing. Docia Loper furnishes bail.... Deputy Sheriff kidnaps Mrs. Lloyd Smith, but attorney locates her.

GENERAL EASTERN. President visits the geysers.... Eight killed and ten injured in wreck on Erie Railroad near Jamestown, N. Y.... Ten indictments of Missouri Senators expected as result of bribery investigation now in progress. President Parry says New Orleans committee should arouse labor leaders to efforts to reform methods.... William K. Vanderbilt to marry Mrs. L. M. Rutherford.... Victim of New York "barrel" murder was Benedicto Madonia, and he was killed by counterfeiters.... Decision in Northern Securities case suspended to allow dividend payments.... Construction plans for Salt Lake road.... Green River Railroad refuses to recognize union.

SPORTING RECORD. Boston, 4; Philadelphia, 3; second game, Philadelphia, 10; Boston, 7.... Six favorites defeated at Oakland.... Eastern track summaries.... "Young Corbett" drops a "wad" in Stockton poolrooms.... Bookmakers arrested at Hammond.

WASHINGTON. Fight for transport service resumed.... Treasury has now received \$35,000,000 bonds for refunding. Poultice to resign from Civil Service Commission.... Senator Fairbanks denies having Presidential aspirations. Bishop Conaty receives notice of appointment to Los Angeles.

FOREIGN. Countess Russell married a footman named Brown, who passed himself off as "Prince Anthonio Stuart de Modena".... Peace and Bonilla rule in Honduras.... United Kingdom's debt past \$4,000,000,000 mark.... President Vasquez attacks Santa Domingo and is repulsed, losing 1000 men and three generals.... Havana merchant accused of obtaining \$500,000 worth of goods under false pretences.

GOT IN ON THE JAW.

PHILADELPHIA, April 20.—Hans Forbes, the bantam-weight champion, had the better of the fight with Tommy Love of this city tonight. Forbes landed the knockout blow in the sixth round. Love was knocked out and sent him racing to the ropes. The crowd saved him.

PERRIN'S HEIRS WIN.

NEW YORK, April 20.—A verdict for \$2,000 damages was awarded by a jury in the Supreme Court today in the suit brought against the New York Central by the heirs of Alfred H. Perrin, who died last year. The suit was brought by the heirs of Alfred H. Perrin, who died last year. The suit was brought by the heirs of Alfred H. Perrin, who died last year. The suit was brought by the heirs of Alfred H. Perrin, who died last year.

TRANSPORT SERVICE.

Renewal of Fight of Last Winter.

Hill and the Great Northern Pull for Seattle and Harriman for San Francisco.

Quartermaster-General is Preparing Proposals for Next Year and Will Ask for Bids.

Bonds Pouring in—Fairbanks not a Presidential Candidate—Bishop Conaty's Notice.

(BY DIRECT WIRE TO THE TIMES.)

WASHINGTON, April 20.—[Exclusive Dispatch.] The fight between James J. Hill, the Great Northern Railroad and steamship lines and Seattle on the one side, and E. H. Harriman, the Southern and Union Pacific railroads, the Pacific Mail Steamship Company and San Francisco on the other, for the control of the government's transportation business across the Pacific to and from Manila, is about to start again. This fight was waged before the War Department and Congress for a good part of the winter, and ended in a contract being given to the Hill line for part of the business from Seattle until July 1.

The Quartermaster-General of the army is preparing proposals for the work for next year, commencing July 1, and will ask bids from all Pacific steamship lines and from railroads running between Chicago and the Pacific Coast. It is the desire of the War Department to have a good part of the government's transportation work done by private corporation, instead of by army transports. This is because no commerce can be developed with transports, as they are not permitted to carry other than government freight. Secretary Root, therefore, is of the opinion that the government can well afford to keep the transports and let the business go by private lines. Under these conditions, the securing of the contract for San Francisco or Seattle means a great deal to the city getting the business, and considerably less to the railroad and steamship lines.

BONDS POURING IN.

SO FAR, THIRTY-FIVE MILLIONS.

(BY DIRECT WIRE TO THE TIMES.)

WASHINGTON, April 20.—[Exclusive Dispatch.] Bonds continue to come into the Treasury at a rapid pace under Secretary Shaw's refunding plan. The receipts this morning amounted to \$2,100,000, bringing the total receipts since April 1 up to slightly in excess of \$25,000,000. Treasury officials are now hopeful that before the operations come to an end, the refunding will reach \$50,000,000, which is the maximum set by Secretary Shaw when he made the offer.

FOULKE OR BEVERIDGE?

INDIANA'S POLITICAL GUIDE.

(BY DIRECT WIRE TO THE TIMES.)

WASHINGTON, April 20.—[Exclusive Dispatch.] The Indiana Supreme Court, which has just decided that William Dudley Foulke intends to resign as a member of the United States Civil Service Commission, is understood among his friends here to be correct, but it is also understood that his resignation will not be handed to the President until some time next year. After resigning, Foulke will return to his home in Indiana and engage in active political work, for which he has great fondness. Whether he will represent the President in Indiana politics is not known, as Senator Beveridge may claim that right.

WILL "HURL THE GOLD."

SALVADOR ADMITS JUDGMENT.

(BY THE ASSOCIATED PRESS—P.M.)

WASHINGTON, April 20.—According to a dispatch received by the State Department, the Salvadoran government will pay the judgment rendered by the arbitrators in the case of El Triunfo, although it will do so with ill grace, according to reports received here.

Before coming to this conclusion, a professional opinion was called for from Gen. Regalado, the former President of the republic. This opinion states that there was nothing more unusual, nothing more vulgar than the arbitrators' disregard for the opinion of the Salvadoran arbitrator, Dr. Pacas, whose powers were brutally ignored by Messrs. Dickinson and Strong. The opinion further declared that the sen-

VASQUEZ REPULSED WITH HEAVY LOSSES.

(BY THE ASSOCIATED PRESS—P.M.)

SANTO DOMINGO, Saturday, April 18.—Troops of the government shelled this city yesterday, and several houses were damaged. The government soldiers attacked the city in force at several different points this morning, and the fighting lasted for one hour. The government troops sustained heavy losses. Gen. Cordero, Minister of the Interior; Gen. Alvarez, Governor of Puerto Plata, and Gen. Quezada being killed. Over 1000 government soldiers were killed or

tence which they rendered was ineffectual and unavailing in several respects, but added that, despite all equity and despite all right, the consequences of that decision must weigh with Salvador for the simple and obvious reason that compulsion cannot be resisted by force.

"Therefore," said Gen. Regalado, "the simplest way to put an end to this question is hurling at the claimant a little gold, and the contemptuous manner of one who is disposing of something immaterial, and thus not conceding an iota with reference to its dignity and its rights."

NOT FOR PRESIDENT.

SENATOR FAIRBANKS DECLINES.

(BY DIRECT WIRE TO THE TIMES.)

WASHINGTON, April 20.—[Exclusive Dispatch.] A telegram from Indianapolis to the Washington office of the Times authorizes, in the name of Senator Fairbanks, complete repudiation of the announcement alleged to have been made by Mr. W. Godfrey Fairbanks at Louisville, Saturday, after a conference with Mr. Fairbanks, that the Senator had decided to announce himself as a candidate for President in 1904.

BISHOP CONATY'S NOTICE.

HIS APPOINTMENT ARRIVES.

(BY DIRECT WIRE TO THE TIMES.)

WASHINGTON, April 20.—[Exclusive Dispatch.] Rt. Rev. Bishop Conaty was notified by the Papal delegate that briefs appointing him bishop of Los Angeles have been received today. He will remain in charge of the university until a meeting of the trustees, Wednesday next, when he will take his final report and turn over the administration of the university to his successor, Rt. Rev. Mgr. O'Connell. Bishop Conaty intends to go East for a short rest before preparing to go to the Pacific Coast. He expects to be in Los Angeles toward the end of May.

WILLIAM K. VANDERBILT TO VENTURE AHEW.

MATRIMONIAL EXPEDITION WITH A YOUNG WIDOW.

Mrs. Rutherford is Custodian of the Multi-millionaire's Heart and Will Soon Possess His Hand—Court Removes His Marital Disability.

(BY DIRECT WIRE TO THE TIMES.)

NEW YORK, April 20.—[Exclusive Dispatch.] Oliver Harriman, who is a brother of Mrs. Lewis M. Rutherford, said tonight that it was true that his sister was to be married to William K. Vanderbilt.

"How long have your sister and Mr. Vanderbilt been engaged?" was asked.

"I cannot tell you," was the answer.

"When will the wedding be celebrated?"

"I am sorry, but I cannot say another word tonight," said Harriman.

"Have you heard of it elsewhere?"

"Yes," was the reply.

"When told the source, the Senator said: 'Oliver Harriman is a brother of Mrs. Rutherford. Since you know it from him, of course, the information is undoubtedly correct.'"

"So you know when and where the wedding will take place?" was asked.

"I cannot say a word about it," said Depew.

"You see, this is a matter between the counsel and client, and as such I cannot discuss any of Mr. Vanderbilt's affairs. It would never do for me to say a word on the subject. Great circus this," added Mr. Depew, laughing at a joke perpetrated by one of the clowns.

DISABILITY REMOVED.

(BY THE ASSOCIATED PRESS—P.M.)

NEW YORK, April 20.—Judge Glenrich today, in the Supreme Court, signed an order permitting William K. Vanderbilt to marry again. The order modified the decree obtained by Mrs. Alva E. Vanderbilt in 1895, by which Mr. Vanderbilt was forbidden to marry within the life of his divorced wife.

The application for the order was supported by affidavits made by U. S. W. Roster, and sets forth the fact that Mr. Vanderbilt is in Paris, and that he is desirous of forthwith contracting another marriage.

HE MAKES DENIAL.

(BY THE ASSOCIATED PRESS—P.M.)

PARIS, April 20.—William K. Vanderbilt denies the report that he is to marry an American widow here in a few days.

HE DOES FIRE HOT.

President Inspects the Geysers.

Will Return to Norris Basin Today and Then Visit the Yellowstone Grand Canyon.

Expects to Be Out of the Wilderness Friday and on His Journey Westward.

Change of Itinerary to Permit of Longer Stop at Edgemont—Labor Union's Guest.

(BY THE ASSOCIATED PRESS—P.M.)

CINNABAR (Mont.), April 20.—The President has about completed his tour of the Yellowstone Park. Today he was at Fire Hot Basin. Tomorrow he will return to the Norris Geyser Basin and go from there to the Grand Cañon, where the upper and lower falls are situated. He expects to return here Wednesday and remain till Friday, when he will resume his trip.

The members of the President's party who have been living on the train at Cinncabar since April 8, will probably join the President in the park Thursday morning.

MORE TIME AT EDMONTON.

(BY THE ASSOCIATED PRESS—P.M.)

BUTTE (Mont.), April 20.—The President will pass through Billings next Saturday at 12:00 o'clock. Superintendent J. R. Phelan of Alliance, of the Burlington road, will be in charge of the pilot train which will precede that of the President. The Burlington system through Nebraska. The President's itinerary has been changed to provide for a stay of one hour at Edgemont, S. D., instead of five minutes, as previously announced. This is done in order that the President may give a reception to his numerous friends from the Black Hills country, as his tour does not contemplate a visit to that section.

GUEST OF LABOR UNION.

(BY THE ASSOCIATED PRESS—P.M.)

BUTTE, April 20.—The President will be the guest of Butte's labor unions during a portion of the time he expects to spend here May 27. He has accepted the invitation of the Silver Bow Trades and Labor Assembly. Immediately upon the receipt of the invitation, Private Secretary Loeb drove ten miles to where the President was, and laid the matter before him. When Malcolm Gillis of the labor-union committee arrived at Cinncabar, Secretary Loeb had returned and informed the labor representative that the President was pleased to accept the invitation.

WEDDED IN PASADENA.

(BY THE ASSOCIATED PRESS—P.M.)

Miss Bertha Mendlik of Milwaukee, Marries Leonard Perrin, Son of a Banker, and Surprises Her Parents. (BY DIRECT WIRE TO THE TIMES.) MILWAUKEE (Wis.), April 20.—[Exclusive Dispatch.] The wedding, a prettily romantic in the formal announcement of the wedding at Pasadena of Bertha Mendlik of No. 281 Twenty-third street this city, and Leonard Perrin, son of the president of the Pasadena National Bank. It was not until the telegram announcing the wedding, which took place at 5:30 o'clock Saturday night, reached the Mendlik family that the bride's parents knew that there was any other relation than that of friendship between the two young people.

Miss Mendlik left Milwaukee five weeks ago to visit the Perrins at Pasadena. Nothing was thought of this, as the two families had been friends for years, and the girl gladly accepted the invitation. Now the parents understand why she was so glad to go West.

There is another pretty story about the young couple. When the Mendliks resided at Manitowoc, some years ago, when the bride and groom of Saturday were children, young Perrin saved the life of the girl who was to be his wife. The two had gone to a summer resort near Manitowoc, at Elkhardt Lake, with their parents, and the children went out in a boat. The boat was over-

Big Oregon Timber Deal.

GRANT'S PASS (Or.) April 20.—One of the greatest timber deals ever made in Oregon has been closed, 45,000 acres of timber land on the Upper Rogue River having been transferred to W. H. Strobridge, representing a syndicate. It is understood the purchase price was close to \$1,000,000.

BALDWIN MAKING INVESTIGATION HERE.

(BY DIRECT WIRE TO THE TIMES.)

ALBANY (N. Y.) April 20.—[Exclusive Dispatch.] Brokers and banks in this city are being besieged with inquiries from all parts of the country in regard to the financial condition of W. H. Baldwin & Co., who have succeeded in selling from four hundred thousand to five hundred thousand shares in the California-Nevada Mining Company through their office here. W. H. Baldwin until their office was opened about a year ago, in four small rooms on the top floor of the Valckert building. The firm's business has apparently been confined to sending out glowing circulars in praise of the California-Nevada company, which was said to own properties of incalculable value in the West. E. N. Vacocott, Baldwin's manager, was found in charge of the office today.

"Mr. Baldwin is in Los Angeles making an investigation," Vacocott explained. "I received a telegram from him this morning. I think it is premature to say that the company has gone up. We really don't know what its condition is. There seems to be a dispute about ownership."

"How much stock has been sold through the Albany office?" was asked.

"I think we have sold between four hundred and five hundred thousand shares," he replied.

"Does Mr. Baldwin intend to pay back the money he has received for the stocks?"

"Well, he will do what he can, but most of the money is in the hands of the company in Los Angeles. Mr. Baldwin became suspicious, early in March, and returned \$11,000 that had been subscribed for stock. He then stopped selling it. A good deal of our business was done by correspondence."

turned, and while the girl's parents on shore were trying to find a boat to go out to her assistance, Perrin swam to his playmate and held her head above the water until assistance arrived from shore.

ALSO A "ROMANCE."

(BY DIRECT WIRE TO THE TIMES.)

MILWAUKEE, April 20.—[Exclusive Dispatch.] Murdock A. McKensie of Lochabar, Scotland, and Miss Annie E. Atherton of Vancouver, B. C., were married here today. The wedding was the outcome of a romance begun eighteen years ago, when the groom was an engineer of a French liner running into New York and the bride was a school girl attending boarding school in that city. They became engaged, but years drifted by while the groom was securing a competence. Later, he became a traveling salesman, and saw all parts of the world. His headquarters were in Boston, but his fiancée was on the other side of the continent at Vancouver. His business recently brought him to this part of the country. The couple determined to take advantage of this, and, with minute instructions as to how to proceed, Miss Atherton started for Milwaukee, while McKensie prepared to meet her here.

They arrived within thirty-five minutes of each other today, and at once hurried to the County Clerk, who granted a license to wed. A minister performed the ceremony, and, after a day passed in seeing sights, Mr. and Mrs. McKensie left for the East en route to Scotland.

NEW YORK POLICE SOLVE MURDER MYSTERY.

CRIME WAS THE WORK OF HAND OF COUNTERFEITERS.

Victim Identified as Benedicto Madonia, Who Went to New York on Mission for His Brother-in-Law, a Convict.

(BY THE ASSOCIATED PRESS—P.M.)

NEW YORK, April 20.—A convict named De Primo, in Sing Sing, for counterfeiting, today identified the victim of "barrel" murder, the identification being later confirmed by others. De Primo said:

"The man is Benedicto Madonia, my brother-in-law. I went here before there was a division of the money. All of us were not caught, and I was entitled to my part. I sent for Madonia to come to see me. He came a week ago last Saturday, and I instructed him to get my share. They must have quarreled over the money, and he was killed. There was no Madia in the thing."

Two additional identifications of the body as being that of Madonia, made by Vincenzo Pecorelli and by two other men, were also made. Pecorelli, a barber, made the second identification. Easter Sunday Madonia visited his barber shop, then shaved himself, and then told Magliatti that he was going to Pittsburgh and Chicago to see about the arrest of his brother-in-law. This brother-in-law, according to Inspector McCluskey, is De Primo, who is already in Sing Sing prison.

On Saturday last Inspector McCluskey learned that a relative of the dead man, though at that time unidentified, was in Sing Sing, for counterfeiting. He went to Chief Flynn with this information, and was told of De Primo, Sunday, a detective was sent to Sing Sing with a photograph of the dead man, and the identification was made.

Chief Flynn says that he believes the motive for the crime is now clearly established. He thinks Madonia came down here from his Buffalo home mainly to buy counterfeit money, and, secondly, to get possession of De Primo's effects, jewelry, and also such money as was due De Primo from the workings of the hand. It is believed that Madonia was held off for two or three days in the matter, that he learned that he was about to put himself in communication with the police or the government secret-service men, and that in order to provide against this, and at the same time not seem to be afraid of one single man, the decision was reached to have him disappear. The murder, accordingly, took place.

Big Oregon Timber Deal.

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RAILROAD RECORD. PAYMENT OF DIVIDENDS.

May be Made to Northern Securities Company.

Circuit Judge Sanborn Allows the Attorneys' Request.

Christian Endeavor Rate to Coast. Interstate Commerce Commission.

ST. PAUL, April 20.—Before United States Circuit Judge W. H. Sanborn today appeared attorneys for the Northern Securities Company and the Northern Pacific and Great Northern Railroad companies, to present their request that the recent decree against the Northern Securities be so far suspended as to permit the payment by the railroads of the regular May dividends to the Securities company. They maintain that the money would ultimately reach the same individuals, whether paid to them direct or through the medium of the Northern Securities company. On all other points of the decree, no modification was asked.

The attorneys presented their petition to Judge Sanborn Friday, but United States District Attorney Haupt, under instruction from Atty.-Gen. Knox, objected, and the case was set for argument today. A little over \$4,000,000 will be released for the May dividends if the petition is granted, and nearly \$14,000,000 would be paid out before a decision can be secured from the Supreme Court of the United States.

Further instructions from Atty.-Gen. Knox, this morning, were to the effect that he would continue to oppose the petition and not agree to any suspension of the decree.

Judge George B. Young, appeared for the Northern Securities Company. M. D. Grover for the Great Northern and C. W. Bunn for the Northern Pacific. District Attorney Haupt, appeared for the government, and all opened the argument against the petition presented Friday by the attorneys for the Securities and the railway companies. Under the provisions of the act for expediting such matters all the judges should sit, and he thought the action of one who could properly—even in part—be set aside.

The government has sought to prevent the violation of the law, and that was what the decree enjoined. The defendants were, he maintained, asking the court to nullify the decree, to permit a violation of the law. The decree was in accordance with public policy, and really enjoined a public nuisance. He cited cases to sustain his contention that such a suspension was not permissible, except in a case where the damages could be estimated in dollars and cents, whereas this was purely a request to permit a violation of the statute.

After the reading of the decision the appeal was perfected and the bond was filed in the court.

APPEAL ON ALL POINTS.
ST. PAUL, April 20.—Thirty-four points of error are alleged by the counsel for the Northern Securities Company and other defendants in their appeal from the decision of the Circuit Court. Exceptions are noted to every paragraph in the decree, and the court is declared to be in error in rendering any decree, save one for a dismissal of the petition and proceedings.

COMPLAINT IS FILED.
NEW YORK, April 20.—The Northern Securities shares sold off to 94 1/2 early in the day, just before official news of the decision reached this city, and the market turned and the stock sold off 99 1/2.

Representatives of the Securities Company expressed much pleasure over the news. Col. Clough, general counsel, including the payment of dividends. J. P. Morgan would not comment upon the order of the court.

TRANSCONTINENTAL MEETING.
AGENTS GATHER AT PORTLAND.
PORTLAND, (Or.) April 20.—Representatives of western railway companies commenced to arrive in this city today to attend the meeting of the Transcontinental Passenger Association, which opens tomorrow. About fifty lines will be represented and the volume of work to come before the meeting is unusually large. The first session will be held at 10 o'clock tomorrow morning and will be selection of the next meeting place.

CLARK'S ROAD-BUILDING.
ADVISED FROM SALT LAKE.
SALT LAKE CITY, April 20.—[Exclusive Dispatch.] Senator Clark will come into the possession of all of that part of the Oregon Short Line south of this city. It is learned, on or about June 1, on and after that date the road will be under the control of the California line. The Santa Fe and the California line have been cross-sectioned, and the data necessary to reconstruct the line have been secured. The engineering department of the Short Line within the last few days. Engineer McCartney is now in Nevada, and is expected to return to Salt Lake very soon with the data necessary to reconstruct the California line as soon as the 120 miles referred to have received attention in the way of the letting of a contract. It is positively stated here that the 25 miles that remain to be built will be completed by the end of the year.

United States. It does not claim to have and it has not any pecuniary interest in them. Its purpose in procuring this suit and its interest in this injunction are only thereby to enforce the law against illegal combinations in restraint of trade and to prevent the Northern Securities Company from controlling, directing, owning, operating or interfering with the competing railroads. This interest, it will be noted, is protected by that portion of the injunction which forbids the management or control of these roads by the Northern Securities Company, and forbids it from voting or acquiring any stock of these railroad companies. This portion of the injunction, indeed, is the only one which is in force, and is in force, and will continue in force during the pendency of this appeal, in any event. During this time the United States has and will have under this portion of the decree, which will not be modified or suspended, a complete remedy for any violation of the Sherman anti-trust act, should it occur, both by proceedings for injunction and by proceedings under the penal clause of the Sherman anti-trust act. The appeal in this case will probably be determined by the Supreme Court about November, 1904.

It is not perceived how the payment or the retention of these dividends during the pendency of this appeal would in any way enhance the value of the stock of the railroads of the United States in this litigation, and the only question here is whether these dividends shall be paid up in the treasury of the railway companies or paid to the stockholders, to whom they legally belong and who must ultimately receive them, whether the final decision in this case may be. These dividends will ultimately go to the stockholders of the Northern Securities Company, whether paid to them or after the final decision. If the railroad companies are permitted to pay their dividends to the Securities Company that company can then pay them over to the stockholders. The decree permits the stockholders of the Securities Company to exchange their stock for the stock of the railroads of the United States for which it is issued. If the Supreme Court affirms this decree, the stockholders of the Northern Securities Company can exchange their stock for the stock of the railroads of the United States and can draw these dividends upon the latter. If the Supreme Court reverses the decree, the same parties can draw these dividends by the railroad companies while the appeal is pending, and not enhance the value of the stock of the railroads of the United States, while it might inflict unnecessary loss and injury upon the stockholders of the Securities Company as soon as they are earned.

The order of the court will, accordingly, be that the dividends of that portion of the decree which enjoins the railway companies from paying the dividends upon their stock which is held by the Northern Securities Company shall be suspended during the pendency of the appeal upon the giving of approved bond in the sum of \$50,000, to be paid by or in behalf of the defendants in the sum of \$50,000, conditioned to prosecute their appeal with effect and to pay any damages which shall result to the United States by reason of this order, that portion of the injunction contained in the final decree herein which forbids the Northern Securities Company and the Great Northern Pacific Company and the Great Northern Railroad Company from paying dividends to the Northern Securities Company, except on account of the stock of the railway companies which the Securities Company claims to own and hold, is suspended during the pendency of the appeal, and the bond to be given by the defendants to be paid by or in behalf of the defendants in the sum of \$50,000, conditioned to prosecute their appeal with effect and to pay any damages which shall result to the United States by reason of this order, that portion of the injunction contained in the final decree herein which forbids the Northern Securities Company and the Great Northern Pacific Company and the Great Northern Railroad Company from paying dividends to the Northern Securities Company, except on account of the stock of the railway companies which the Securities Company claims to own and hold, is suspended during the pendency of the appeal, and the bond to be given by the defendants to be paid by or in behalf of the defendants in the sum of \$50,000, conditioned to prosecute their appeal with effect and to pay any damages which shall result to the United States by reason of this order.

THIRD-RAIL RAILROAD.
BOSTON TO NEW YORK.
[BY THE ASSOCIATED PRESS.—A.M.] WHITE PLAINS (N. Y.) April 20.—Although much mystery surrounds the secret survey which engineers and surveyors have been making in the northern part of Westchester, Putnam and Dutchess counties, and in Hudson, Chatham, Albany and other cities, it is reported there is a plan on foot to build a third rail road between Boston, Albany and New York.

The engineers will not reveal the nature of the scheme, but it is known that the new company will be known as the New York, Boston and Albany Railroad Company, and that the main headquarters of the Southern Public will be in Brewster, Putnam county.

CHRISTIAN ENDEAVOR TICKETS.
SANTA FE ROUND-TRIP RATE.
[BY THE ASSOCIATED PRESS.—P.M.] TOPEKA (Kan.) April 20.—The Santa Fe Railroad today announced that during the meeting of the Christian Endeavor Convention at Denver in July, tickets good for the round trip to the Pacific Coast points will be sold at the rate of \$62.50 from Chicago to the Coast and return. These tickets will be on sale from July 1 to July 10, and will be good on the west-bound trip for thirty days. Stopovers will be allowed at Denver and other points.

No Action Against Espee.
HOUSTON (Tex.) April 20.—The Attorney-General of Texas denies that any action is contemplated by the State of Texas against the Espee oil company based upon the recent decision in the Northern Securities case.

THEY MATCHED HIM.
Queer Encounter of the Victim and His Two Robbers at the Chicago Sub-Treasury—Halves of Bills.

CHICAGO, April 20.—[Exclusive Dispatch.] "Here are the halves of three \$5 bills; hold up men got the missing parts," said J. B. Kievan, as he stood at the exchange window of the sub-treasury this morning. He was about to say more, when two robbingly-dressed men pushed their way in front of him. "Gimme three five spots for dese, will ye, mister?" said one of the men as he threw three five \$5 bills before the cashier.

The government will this season erect at Gardiner, the Northern Pacific terminus on the park boundary. The President's special train will be held for him, a beautiful stone arch, that will mark the formal entrance to this wonderland. The regular park season extends from June 1 to September 15.—[Adv.]

THEY MATCHED HIM.
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There is considerable surprise here over the announcement of the Tonopah branch. It was not known here until today that "T. E. Gibbon and associates" were granted a right of way by the last Legislature of Nevada to build the Tonopah branch. Then there will be a branch to Cedar City, Utah, tapping the great iron and coal fields of that section.

It is stated here tonight, though it cannot be verified, that E. H. Hartman will be on the next board of directors of the San Pedro road.

MERGER OF COAL ROADS.
INVESTIGATION BEGINS TODAY.
NEW YORK, April 20.—Acting upon the advice of Atty.-Gen. Knox, the Interstate Commerce Commission will meet in this city tomorrow, and begin an inquiry into the merger of the coal roads of the Sherman anti-trust act, should it occur, both by proceedings for injunction and by proceedings under the penal clause of the Sherman anti-trust act. The appeal in this case will probably be determined by the Supreme Court about November, 1904.

It is not perceived how the payment or the retention of these dividends during the pendency of this appeal would in any way enhance the value of the stock of the railroads of the United States in this litigation, and the only question here is whether these dividends shall be paid up in the treasury of the railway companies or paid to the stockholders, to whom they legally belong and who must ultimately receive them, whether the final decision in this case may be. These dividends will ultimately go to the stockholders of the Northern Securities Company, whether paid to them or after the final decision. If the railroad companies are permitted to pay their dividends to the Securities Company that company can then pay them over to the stockholders. The decree permits the stockholders of the Securities Company to exchange their stock for the stock of the railroads of the United States for which it is issued. If the Supreme Court affirms this decree, the stockholders of the Northern Securities Company can exchange their stock for the stock of the railroads of the United States and can draw these dividends upon the latter. If the Supreme Court reverses the decree, the same parties can draw these dividends by the railroad companies while the appeal is pending, and not enhance the value of the stock of the railroads of the United States, while it might inflict unnecessary loss and injury upon the stockholders of the Securities Company as soon as they are earned.

SANTA FE EARNINGS.
SIDE-LIGHT ON THE FIGURES.
[BY THE ASSOCIATED PRESS.—A.M.] CHICAGO, April 20.—[Exclusive Dispatch.] Comment has been caused by the fact that the net earnings of the Santa Fe for eight months of the current fiscal year show a decrease as compared with the corresponding period last year. That this is not the result of any falling off in traffic is apparent from the gross earnings showing an increase of nearly \$2,000,000. The figures show: Eight months. 1902. 1903. Total earnings... \$41,961,330 \$40,053,906 Expenses... 25,717,556 25,727,259 Net earnings... 16,243,774 14,326,647 The cost of transportation and general expenses was 33.1-3 per cent. of gross earnings for the eight months of the current year, as compared with 32.1-3 per cent. for the current fiscal year.

The increase in expense, which has cut down the net, is found in maintenance-of-way, which charges to this account were \$1,900,000 more than in the preceding year, and for the maintenance of equipment were over \$2,100,000 more, making a total of over \$2,100,000 of what may be called very largely betterment charges to operating expense, inasmuch as last year the maintenance accounts were fully charged up.

It is safe to say, therefore, that the true earning capacity of the Santa Fe in the eight months, which is apparently 47.5-00 less than a year ago, is all probability at least \$1,500,000 more than a year ago.

THIRD-RAIL RAILROAD.
BOSTON TO NEW YORK.
[BY THE ASSOCIATED PRESS.—A.M.] WHITE PLAINS (N. Y.) April 20.—Although much mystery surrounds the secret survey which engineers and surveyors have been making in the northern part of Westchester, Putnam and Dutchess counties, and in Hudson, Chatham, Albany and other cities, it is reported there is a plan on foot to build a third rail road between Boston, Albany and New York.

The engineers will not reveal the nature of the scheme, but it is known that the new company will be known as the New York, Boston and Albany Railroad Company, and that the main headquarters of the Southern Public will be in Brewster, Putnam county.

CHRISTIAN ENDEAVOR TICKETS.
SANTA FE ROUND-TRIP RATE.
[BY THE ASSOCIATED PRESS.—P.M.] TOPEKA (Kan.) April 20.—The Santa Fe Railroad today announced that during the meeting of the Christian Endeavor Convention at Denver in July, tickets good for the round trip to the Pacific Coast points will be sold at the rate of \$62.50 from Chicago to the Coast and return. These tickets will be on sale from July 1 to July 10, and will be good on the west-bound trip for thirty days. Stopovers will be allowed at Denver and other points.

No Action Against Espee.
HOUSTON (Tex.) April 20.—The Attorney-General of Texas denies that any action is contemplated by the State of Texas against the Espee oil company based upon the recent decision in the Northern Securities case.

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EIGHT LIVES SACRIFICED

Boy in Watch Tower Made Fatal Blunder.

Gave Clearance Signal Too Soon to Passenger Train.

Fire Followed Wreck on Erie Railroad and Cremated the Victims.

[BY THE ASSOCIATED PRESS.—A.M.] JAMESTOWN (N. Y.) April 20.—Eight persons are dead and ten injured, three of them seriously, as the result of a collision between a passenger train and a freight train on the Erie Railroad today near Redhouse, N. Y.

Of the dead, only one Robert N. Hotchkiss of Meadville, a brakeman, has been identified. Seven bodies, apparently those of three men, three women and a child, were burned beyond recognition in the fire which followed the wreck. The women are said to have boarded the train at Youngstown, and to have come from Pittsburgh.

R. S. McCready, a mail freight of Meadville, Pa., and Frank Barrett of Jamestown, Pa., were the only passengers who escaped. The train was made up of one combination passenger train, two sleepers and two private cars. The train was derailed by striking a freight train which was making a siding at Redhouse. The wreck took place at 10 o'clock. The freight was a block system tower near the crossing.

The freight was drawn by two engines. Some trouble was experienced in entering the siding, and the foreman of the freight train, indicating along the siding with a flag, to hold the express. It is alleged that the operator in the tower, Lawrence Valle, told the freight train to proceed, and the freight train, which was west-bound, had orders to go into the siding at Redhouse, and the siding is about a mile and a half long, and there is a block system tower near the crossing.

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PITH OF NEWS FROM THE MIDDLE WEST.

[BY DIRECT WIRE TO THE TIMES.]

CHICAGO, April 20.—[Exclusive Dispatch.] Chicago, with no indications of an immediate change. The wind remained in the northeast, and the extremes of temperature were 42 and 50 deg., the low mark being recorded at 3 o'clock tonight. Light showers were reported in the Ohio Valley this forenoon, and tonight it is raining at points in Southern Wisconsin and Eastern Illinois. Temperatures at 7 a.m.: New York, 48; Boston, 46; Philadelphia, 52; Washington, 56; Chicago, 41; Minneapolis, 40; Cincinnati, 50; St. Louis, 52.

ENGAGED TO A NOBLE.
The engagement was announced today of Miss Ella Prussing, daughter of Eugene Prussing, to Eugene Jorgulesco of Bucharest, a member of the Roumanian nobility. Friday, Miss Prussing starts for Southern California to visit her brother, and will later go to San Francisco, where her grandmother lives, and where she will be joined by her fiancé.

LAXNESS CAUSES RESIGNATION.
Because of charges of lax enforcement of regulations of subordinates, it is reported that Dr. Reynolds, Commissioner of Health, will resign and be succeeded temporarily by Deputy F. W. Riley.

MISS FREEMAN'S WEDDING.
Today's most prominent society wedding was that of Miss Marie Freeman, daughter of Mr. and Mrs. James Cook Freeman, and Dr. Herman D. Peterson, which was solemnized tonight at the Second Presbyterian Church.

VISITING IN CHICAGO.
Miss Marguerite Otis, after an absence of over a year in Pasadena, where her wife, who is 18 years old, ran away with Desjardins two weeks ago, and since then had been living with him in this city. The wife refused to go home with her husband, and she and her lover were held to the Criminal Court.

YOUNG WIFE'S DOWNFALL.
Louis P. Clement, a wealthy real estate dealer of Crownpoint, Ind., appeared this morning against his wife and Frederick Desjardins. Clement's wife, who is 18 years old, ran away with Desjardins two weeks ago, and since then had been living with him in this city. The wife refused to go home with her husband, and she and her lover were held to the Criminal Court.

WISCONSIN UNIVERSITY REGENT.
[BY DIRECT WIRE TO THE TIMES.] MILWAUKEE, April 20.—[Exclusive Dispatch.] The Board of University Regents will meet at Madison tomorrow. It is the general belief that they will then choose a president for the university, and that the choice will be Prof. Charles R. Van Hise. The other available candidates are Prof. Birge and Prof. Basford of Ohio.

GATES AND HIS MINE.
[BY DIRECT WIRE TO THE TIMES.] WEST SUPERIOR (Wis.) April 20.—[Exclusive Dispatch.] John W. Gates is spending hundreds of thousands of dollars in his attempt to develop a copper mine in this district, which is located in the Michigan district. The Gates mine is on what is commonly known as the Weyerhaeuser property, on the Minong range. Modern machinery has been ordered, and success is said to be assured.

HORNER'S ESTATE DIVIDED.
[BY DIRECT WIRE TO THE TIMES.] LAPORTE (Ind.) April 20.—[Exclusive Dispatch.] If William Horner, who left this city thirty years ago, ever returns he will find that in the eyes of the law he is dead. His brothers and sisters have secured from the court an order for the partition of his large estate. Horner was 25 years old when he left home.

DOT WARD'S TRAGEDY.
[BY DIRECT WIRE TO THE TIMES.] HAMMOND (Ind.) April 20.—[Exclusive Dispatch.] Dot Ward, a southerner in Lyman Brothers' "Merry Chase" Company, last night outwitted a squad of husky constables which a rival manager had secured to seize the baggage of the company under a writ of attachment. The constables were in the audience waiting for the company to appear, when she appeared and charmed them with her singing and dancing, which she continued until the coast was clear, while the remainder of the company moved the properties and baggage across the State line.

MINISTERS OPPOSE MASONRY.
[BY DIRECT WIRE TO THE TIMES.] DES MOINES, April 20.—[Exclusive Dispatch.] Minister Gardiner, assisted by the local Masonic lodges, this afternoon laid the corner-stone of the new county Courthouse, in spite of the fact that the Ministerial Association passed resolutions this forenoon protesting against allowing them to conduct the ceremony. The ministers objected to the local authorities delegating their duties and to the Masonic inscription on the stone.

EDITOR HAGER MISSING.
[BY DIRECT WIRE TO THE TIMES.] SOUTH BEND (Ind.) April 20.—[Exclusive Dispatch.] Warner Hager, managing editor of the South Bend Courier, has not been seen since Saturday morning.

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When Under Sheriff Baker removed Tulsa from the upper floor to the dark cell his fear was depicted in every feature and action of the suspected murderer. He inquired the reason for the change, and Baker told him it was

HONG KONG, April 28. — The famine in Kwang-Si Province is killing tens of thousands of persons, and women there are selling themselves into slavery to escape starvation. The American Consul at Canton has inaugurated a relief fund.

DR. TYNDALL TONIGHT.

Dr. Melvor-Tyndall, the celebrated thought reader and psychic, will lecture tonight at Blanchard Hall on "Personal Magnetism and How to Use It." The lecture will be followed by some of Tyndall's remarkable demonstrations in mind reading.

oil is found much deeper than in the Knox county, but it is believed that small and steady producers can be developed.

Another important "wildcat" was brought in by the United States Oil Syndicate in the Poplar Creek region in Knox county. The oil sand was en-

of value, something
that will endure. We
show a large stock
of new and beautiful
silver articles.

J. ABRAMSON,
JEWELER and SILVERSMITH,
113 S. Spring St.

Best Time—Best Service.

Wabash Tourist Car Lines

Leave Chicago Mondays.....	11:00 a.m.	Arrive in Boston Tuesdays.....	5:30 p.m.
Leave Chicago Thursdays.....	11:00 a.m.	Arrive in Boston Fridays.....	5:30 p.m.
Leave Chicago Saturdays.....	11:00 a.m.	Arrive in Boston Sundays.....	5:30 p.m.

For particulars consult your agent or address

C. A. CHAM, G. P. Agent, St. Louis, Mo. or	ROSS C. LINE, P. C. P. Agent, Los Angeles
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700 S. E. cor. Second
and Grand Ave.

To get worms, stomach, intestinal, worms and all other kinds
of parasites out of your system, and to prevent the
kind that infect the human body can be easily removed by the Yegiesian treat-
ment under direct supervision of Dr. C. J. Yegiesian at the

Office Hours—9 to 12; 3 to 6. Consultation Free.

comfort.

Santa Fe

... of Harvard, Glass

1970

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COMPANY, Chicago

"Vicente Portuondo" DR. WALTER T. COVINGTON
A better Clear can't be sold for 6 cents. PROPHYLACTIC DENTISTRY.
HAB, BARUCH & CO., Distributors. 230 1/2 S. Spring Street, first entrance north of Christopher's.
Fine Furniture AND CARPETS Always busy stock. The
new Lyon-McKinney-Smith Co.
232-234 W. Sixth St., bet Spring and Broadway

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ARMOUR & COMPANY, Chicago

Blaney Shoe Co.
 YOUR FRIENDS
 BUY HERE.
Women's Shoes
 Majestic, \$2.
 Utz & Dunn's Shoes for C
 456 S. Broadway.

TO LET—

[illegible]

large muscles mean although already strong and we
sired to reach the highest possible

Lawn Mowers Garden Hose and Tools.
B. GUYOT, 444 South Spr.

troubled with Prostatitis. CUPIDENE is the only known remedy to cure without an

207 South Spring Street, Phone Main 224

Nauerth Hardware Co.,

THE PUBLIC SERVICE IN THE COURTS AND OFFICES.

SUMMARY OF THE DAY.

Yesterday the Council passed the excavation ordinance in an amended form.

An informal conference yesterday of the Board of Public Works decided not to take the advice of the committee on the amendment of the ordinance.

It was discovered that street assessments are outstanding against "Ella" Park recently accepted.

The official Council proceedings, published by authority, will be found elsewhere on this page.

The Melrose jury disagreed yesterday, and Judge Smith discharged the jurors.

James Murphy, footpad, was sentenced to ten years yesterday.

Frank Metzger, highway robber, is on trial for holding up a Pasadena car.

In the Police Court yesterday, the examination of Joe McNulty and J. P. McDonald on a charge of highway robbery was continued until Thursday, after the evidence for the prosecution had been introduced.

No new complaint was filed against J. T. Moxley.

AT THE CITY HALL.

EXCAVATION ORDINANCE PASSES THE COUNCIL.

PRESSURE BROUGHT TO PREVENT ITS ENACTMENT.

Quasi-public Corporations Objected to Any Curtailment of Their Rights to Dig in the Streets According to Their Own Sweet Will—Werdin Says a Word.

Seven redrafts of the excavation ordinance were made before the measure could be fashioned to suit the tastes of the nine members of the City Council. Very strong corporate influence was brought to bear to amend the ordinance out of existence or to defeat it entirely, by the companies that use the streets, and but for the strong stand taken by Street Superintendent Werdin the measure would have failed at the beginning.

The ordinance passed yesterday by a unanimous vote, but several Councilmen would have been glad of the slightest pretext for referring it to a committee that would frame an amendment. Some of the companies opposed the measure on the Council floor, but many wires were drawn fast to prevent its adoption.

When the ordinance was reported yesterday, Councilman Kern moved to refer it to the Committee on Legislation, and the motion was seconded. President Bowen ruled that a motion to adopt, made in almost the same breath, had the right of way. Skillful thought the motion to refer should first be put, and Superintendent Werdin, thinking another fight in committee was in prospect, spoke briefly in favor of the immediate adoption of the ordinance.

This ordinance has been delayed for six weeks now by these same tactics, he declared. "The only people who have delayed it are the lighting and gas companies. I don't think these companies ought to frame our ordinances, and if they are going to we better quit. The city needs such an ordinance as this, and I believe it should be passed."

Skilling then made a short talk, in which he declared that the ordinance was in about the proper form, and that it should be passed. This speech seemed to surprise the opponents of the ordinance, and nothing was said against a roll call.

When the ordinance was last publicly considered by the Committee on Legislation, it contained provisions for a fee of \$10 to be paid for each permit for an excavation. That fee should be reduced to \$5, and the fee for the use of the street should be reduced to 25 cents under the attacks of the quasi-public corporations. At first the companies said they would pay the 25 cents, and then they wouldn't pay anything for permits. The weight of the roller to be rolled from ten to six tons, the traffic in the ordinance being accomplished by easy stages. But yesterday the Street Superintendent came up smiling with an ordinance which he says will benefit the city fully as much as the original measure.

It provides that it shall be unlawful for any person to make any excavation in any public street or place without a deposit for damages. A notice of the intended excavation, descriptive in detail must be filed with the Street Superintendent. A deposit of 25 cents a square foot of paved surface, 25 cents a foot for gravel surface and 10 cents a foot for ordinary street surface must be made with the Street Superintendent. This official then, opens an account with the depositor. No single deposit can be made for more than one street.

After receding at great length the manner in which paved and gravel streets must be resurfaced after excavations have been made and providing that the Street Superintendent may restore the streets to good condition at the expense of the company doing the work if the company does not perform its duty, the ordinance reads as follows:

The person, firm or corporation by whom any excavation in paved, macadamized or gravel streets or places shall be made shall be deemed and held to warrant the work of refilling and repair thereof for the period of one year after the refilling of such excavation against all defects in workmanship or materials. Whenever, within said period of one year, any part of the pavement or surface of any public street or place so warranted becomes in need of repairs, by reason of any defect in workmanship or material done or used in said work of refilling or repair, the Street Superintendent shall cause the same to be repaired at the expense of the person, firm or corporation by whom the excavation was made, a written notice, stating what repairs are necessary, being first served on the person, firm or corporation by whom the excavation was made, and the same is not complied with within five days after the service of such notice. Said notice shall be served in the manner herein provided, and if the same is not complied with the Street Superintendent shall proceed at once to make repairs.

There shall be deducted by said Street Superintendent from each deposit made under the provisions of this ordinance for excavations in graveled, macadamized or paved streets, or public places, a sum equal to one-half of 1 cent for each square foot of the surface of the excavation or excavations for which such deposit has been made, and said sum shall be by him deposited with the City Treasurer to the credit of the Street Department fund. The cost of any work done or repairs made by the Street Superintendent under

the provisions of this ordinance shall be deducted by him from any and all deposits thereon in his hands, or that may thereafter come into his hands, belonging to the person, firm or corporation required by this ordinance to do such work or make such repairs. After making all the deductions herein authorized from each deposit made under the provisions hereof, the Street Superintendent shall return and refund the balance of said deposit to the person, firm or corporation making the same. The decision of the Street Superintendent as to the cost of any work done or repairs made by him shall be final and conclusive as to such cost.

Following these provisions the ordinance provides for the appointment of inspectors of excavations, whose duty it shall be to supervise and direct the refilling of excavations and repairing of pavements.

The ordinance requires all pipes to be laid at a greater depth than two feet.

All the provisions apply to the water department, which has been a grave offender in the past.

Failure to observe the requirements of the ordinance is punishable by a fine of from \$10 to \$200 or the usual alternative.

Mayor Snyder had not returned to his office last night, but it is believed that he will promptly sign the ordinance.

STRINGS ON PARK.

COUNCIL'S MISCELLANY.

Surprise was evident on the faces of several Councilmen yesterday when a communication was received from M. F. O'Dea, as assignee of Contractor M. S. Cummings, notifying the City Fathers that street assessments amounting to \$1102.46 were outstanding against the new park in the First Ward, which was so gleefully accepted one week ago. The property in question is on Eastlake avenue and near Minnesota street, and is approximately 50x450 feet in size. Councilman McAlister, at whose request it was christened "Ella" (meaning East Los Angeles) Park, declares that the strip of land is worth \$4000. It was deeded to the city by W. S. Lacy. There was a disposition to hand the property back to the donor, as it is a legal question whether the city can do so. McAlister persists that the land is worth more than the assessments, and it is probable that the city will eventually pay the claim and keep the park. Nofziger had the franchise application and entered into competition with the Huntington on equal terms. No basis for the report could be found. The representation of the Huntington, however, have urged upon the Council the inequality of asking them to pay for the park, while the Huntington, on the other hand, is asked to pay for a franchise that charges 5-cent fares.

AT THE COURT HOUSE.

BOLD HIGHWAYMAN IS BADLY FRIGHTENED.

FRANK METZGER, ONE OF PASADENA CAR ROBBERS, ON TRIAL.

Metzger's Lawyer Making a Plucky But Almost Hopeless Defense for Him. Prisoner Positively Identified by Passengers Who Were in the Car That Was Held up.

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NO BLANKETS.

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During the noon intermission yesterday three men sat in one corner of the committee room for over half an hour engaged in a low and earnest conversation. They were the members of the Board of Public Works—Nofziger, Davidson and McAlister.

This little conference was not down on the programme, but it was the most important one of the Council session. Before the three men left the room they agreed among themselves not to report favorably to the Council any blanket franchise. Whatever the Board of Public Works unanimously agreed upon, the Council will almost surely approve, and it would appear that the hope of the Clark-Harriman combination to secure the advertisement of the big eighty-five-cent franchise as a whole was

extinguished at the noon hour yesterday.

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There is no longer any "under dog" in the fight," said Chairman Nofziger of the board yesterday. "Both the railway corporations have plenty of money and neither is in need of any sympathy. I don't believe the advertisement of a blanket franchise would be of advantage to the city. If the lines are divided into separate routes so that the rival corporations can bid against each other the city may secure something like the real value of the franchises."

"Neither do I believe this Council should grant railroad franchises over the city," said Nofziger. "The rights of way partly on private property and partly in the streets. If Clark wants to secure an entire private right of way as was done in the case of the Long Beach road, then his petition will receive consideration, but I for one will not give away a franchise over a public street to a corporation over a public money, and the city should be paid for them."

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because Metzger's lawyer, Mr. Hovey, thought the witness could not be identified that way. Dorr said he was absolutely sure of the man. As a matter of fact, both the Pasadena highwaymen were picked out of a crowd at the Police Station by various passengers.

One of the witnesses told of the robbery of Mr. Gay on the car. Metzger presented a pistol at his head and began to go through his pockets. Mr. Gay remonstrated when Metzger tried to take some checks. "Those won't do you any good," he said, and tried to grab the checks back.

Metzger snatched at his watch and Gay held onto it. "You don't want that," he said. "That is keepake given to me by friends that are dead now."

At that, Burke's strong, brutal voice rang out from the back platform: "Don't parley with him; shoot the — and I'll shoot too."

Although his conviction is almost a foregone conclusion, Metzger is having a good defense. F. W. Hovey, Esq., was appointed to defend him and he has secured a jury of twelve men making a lively fight out of it.

MELROSE JURY DISAGREES.

AGAIN OUT ON BAIL.

All the agony of the Melrose trial will have to be endured again. The jury couldn't agree.

They came into court yesterday morning at 9 o'clock, and told Judge Smith that they were unable to agree. They couldn't possibly arrive at an agreement. As the jury had been out since 11:30 Saturday morning, Judge Smith discharged them.

There is considerable difference of opinion as to how the jury stood. Earl Rogers, Esq., Melrose's principal counsel, claims that the jury stood eleven ballots and stood eight for conviction and four for acquittal. No vote was taken as to stubbornness, there was anything more than informal talk of simple assault.

McComas, on the other hand, claims that the jury stood eight for acquittal in the first degree and four, not for acquittal, but against murder in the first degree.

McComas claims that seven were in favor of conviction for manslaughter and five against that verdict.

He also claims that the jury stood eleven ballots and stood eight for conviction and four for acquittal. No vote was taken as to stubbornness, there was anything more than informal talk of simple assault.

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Rodney Lang, who sued Dr. A. F. Schiffman for damages yesterday. Who is at fault remains for a jury to decide.

Lang is a school boy, and brought suit through his mother, Mrs. J. H. Lang, for damages in the sum of \$5000. He claims that he went to the Schiffman Method Dental Company Jan. 1, 1925, suffering from a decayed anterior molar and was operated upon. It may be that Lang only gave a little snicker instead of a loud ha, ha, for only the crown came off the tooth. He alleges that the root was left in the tooth hole in the jaw.

The snag of the tooth stayed in the jaw and rotted. Lang claims that it caused the gland to enlarge and small nodular tumors to form. Before it was through, he claims that his face became permanently disfigured, and that his speech and vocal organs became affected. One of his complaints that may be assumed to have come more particularly from his mother, is that he was obliged to be out of school.

In making the claim for \$5000 damages, Lang says that he was obliged to spend \$200 for medical attention to repair the damage.

Dr. Schiffman says it is a case of hold-up. He will fight the suit.

POOL ORDINANCE HEARING TODAY.

Night sweat disturbed the dreams of the Supervisors last night, because the poolroom ordinance comes up for a hearing today. They hate it as the devil hates holy water.

Representatives of various ministers and church unions are to be present to protest against the Supervisors passing an ordinance allowing pools to be sold at race tracks.

Several memorials have been filed. One of these is from Avalon taxpayers protesting against pools and asking the Supervisors to put nickel-in-the-slot machines under the ban as well.

TERRIFIED WIFE FLED FROM BRUTAL HUSBAND.

Having fled for her life from a murderous husband, Sarah Anderson was divorced in Judge Smith's court yesterday. The defendant, J. J. Anderson, is back in Nebraska.

She told a long, sorrowful story of her husband's brutality. He was violent and cruel to her. She was terrified of him and fled for her life.

He kicked her and beat her, and threatened to kill her. Once he broke her neck by twisting it. When she finally fled home, she was going to call the police, but Anderson said he would kill the child if she did, so she went away.

Twenty years' sentence for a young footpad. Another tough young footpad was practically snuffed out of existence yesterday by a sentence of twenty years from Judge Smith. He is a smug, slicked-up young scoundrel, who looks as though he may some day have been a waiter at some tough hall. His name is James Murphy—he says so, anyhow.

Of all the enterprises ever started this young man's company, limited, of Mr. Murphy's, was the most dismal failure.

So far as is known, he never tried to hold up but one man, that was R. Riggs. He poked a gun into the face of Riggs down on Los Angeles street, on the edge of the Tenderloin, and backed him off into a lonely lumber yard. There he squeezed out the magnificent sum of \$1 from Mr. Riggs.

Before the transaction was through, however, Mr. Riggs grabbed the gun away from him and beat him over the head until Murphy looked as though a brick house had fallen on him.

When he came out in court yesterday for sentence, after having been convicted by the jury, Murphy's lawyer tried to persuade the court to give him a light sentence. He said the evidence against Murphy was very light. Judge Smith simply laughed at him; for the evidence was very strong.

Well, Murphy, he said, "you are one of those young men who are around with bad company and delight in doing everything you shouldn't do; now you can pay the penalty."

BOOZE DIDN'T WORRY JUROR FROM KENTUCKY.

Col. Tom Lewis was yanked into court yesterday to do jury duty. It was the case of Bryson against Lewy, wherein Uncle John Bryson is trying to get Al Lewy out of his basement, where a gilded saloon runs.

One of the lawyers, preliminary to finding out if Col. Lewis would make a good juror, asked him solemnly: "Have you any prejudice against liquor and liquor selling?"

Col. Tom looked down at him pensively, then he said very softly: "I'm from Kentucky, sir."

Another juror was from Pasadena. He said he objected to liquor. They asked him if he had any objections to liquor being sold. He replied witheringly: "Not in Los Angeles."

VINCENT'S FIST FELT LIKE MONKEY WRENCH.

Sheridan Vincent, of Chatsworth Park, who was arrested yesterday for hitting a man with a monkey wrench, admits that it might have felt like a monkey wrench, but it was in reality only his fist.

He got into a row with his former partner in the oil business, one G. W. Barber. Barber called him a name and asked him if he had any objections yesterday on a charge of assault with a deadly weapon. He was arraigned before Justice Young.

COURT NOTES.

BREVITIES MISCELLANEOUS. CANARY COTTAGE WOMAN. Mrs. Whedon, the proprietor of the notorious Canary Cottage, was arrested yesterday for selling liquor without a license. Her bartender, Charles Rice, was also arrested. They pleaded guilty before Justice Young. Mrs. Whedon was fined \$100 and Rice \$100, both of which fines were paid.

WANTS TO BUTT IN. The Home Telephone Company has made application to the Board of Supervisors to be allowed to wire the Courthouse for telephones and asking that the County Surveyor superintend the work.

INCORPORATIONS. Williams Rubber Company has incorporated. Capital stock, \$25,000. Subscribed, \$25,000. Officers, W. G. Williams, President, H. O. Harrison, Marjorie M. Williams, Secretary and Treasurer.

Pacific Storage Company has increased its capital stock from \$25,000 to \$40,000.

Don't Forget to Remember. When planning your western trip, that the Northern Pacific Railway, traversing the entire Northwest, affords a most pleasant and attractive route to the points in the East. E. J. San Juan, luxurious Pullman and tourist sleepers, romantic scenery and the best of service, render this line very popular. Fare as low as by any route. Tourist sleepers every day. Full information from C. E. Johnson, Passenger agent, 121 East Third Street, Los Angeles, Cal.

JAS. SMITH & CO.

EXCLUSIVE CLOTHIERS

137 South Spring St., Bryson Block

"Business Dull" Say the Other Fellows.

That's not surprising to us. Why should a man buy ordinary clothing when the same man can buy out with Alfred Benjamin's ready-made garments? Look at our Spring suits, for instance. Material, the smart cut, the good lining, the snappy air—such important features make our clothing doubly attractive, yet cost no more. No wonder we are doing the business!

MAKE NO MISTAKE IN THE STORE

We Have No Branches.

The Surest Way

of attaining perfect health is by drinking a perfect Health Food.


Ghirardelli's Ground Chocolate

is a positively pure Cocoa preparation that nourishes the body, strengthens the nerves and makes the brain clear and vigorous. Ghirardelli's Ground Chocolate is delicious and wholesome. Prepared instantly by adding hot milk. Look for the Hermetically sealed cans.

An A B C Trading Book that will delight the little ones, each free.

THE STORE

The bidders was the
Dr. and Mrs. Benbrook left
trip to the Grand Cañon, and will
at No. 1037 South Hill street
May 13.



...Gre

This has true
magnitude.
faith with
you to "I
bear in m

Little Gent's Vici Kid Lace Shoes, Regular
price \$1.50. **\$1.20**
Sale price

Boys' Vici Kid Lace Shoes, patent tip; regular
price \$2.00. **\$1.45**
Sale price

Men's Patent Oxford, new toes, new styles, new patterns. Goodyear welted soles; regular
price \$3.50. **\$2.95**
Sale price

Men's Vici Kid Lace Shoes, broken lines, welted soles; regular
price \$3.50. **\$1.95**
Sale price

Ladies' Vici Kid Lace Shoes, extended soles, yellow stitched, all sizes and widths, regular
price \$2.50. **\$1.95**
Sale price

**239 SOUTH
SPRING ST.**

expressed the deepest appreciation of the many kind messages sent by Los Angeles friends at the time Dr. Chichester's death.

Ms. Leon L. Carey entertained a number of friends at heart's Saturday noon, at the home of her mother.

J. P. Filbert, corner of Adams and Roman streets. Several unions were

new styles and new patterns
for spring wear. See them
where you do your buying.
Cluett Shirts, \$1.50 up.
Monarch Shirts, \$1.00.
Cluett, Peabody & Co.

Auctioneers in Charge of Sale.

Cluett-Peabody shirts, they fit;
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LOCAL SPORTING RECORD

BASEBALL IS ON TAP HERE.

Sacramento and Looelos Will Close Local Series.

Butte and Local Nationals to Play at Prager Park.

Many Players in Both Visiting Teams are Well Known to Local Fans.

Two more series of baseball games will open here today between Butte and Los Angeles, of the Northwest League, and Sacramento and Los Angeles of the Pacific Coast League. The Sacramento team members are, with few exceptions, well known to the local fans, for the majority of them played in the same team of the California League last season. Doyle, Hogan, Eagan, Casey, Sheehan, Graham and McLaughlin are well remembered players here, and will doubtless be welcomed back with open arms.

As an added feature to the game this afternoon, Manager Morley has announced today as a special ladies day, in honor of the flag raising. A number of lady fans have presented the Looelos with an American flag, and a long green and white satin pennant, and these will be thrown to the breeze before today's game. The line-up of the teams, will be about as follows:

NORTHWEST NATIONALS.

LOS ANGELES-BUTTE SERIES. The local Nationals will start the second week of their season today with the first of six games with the Butte team at Prager Park. The visitors come under the handicap of having players strange to the local fans, although four of them have played many games in this city during the last three years. Swindells, behind the bat, played with the Looelos two years ago, and Brockhoff at third base for Butte, was Morley's right fielder during the same year. Brockhoff, who played with the Looelos last year, played with Hank the Penman's team of San Francisco last year.

The line-up of the teams will probably be as follows:

Los Angeles. Butte.
Strickland pitcher Dowling
Hanes first base Swindells
Messery second base La Roque
Hall third base Ward
Reilly third base Brockhoff
Hollingsworth shortstop Kane
Bowman left field Muller
Walters center field McHale
Gannon right field McKevitt

New Manager.

The local National management has chosen Greeley Bentley as vice-president of the club, and he will have a voice in the management in the future.

New Pitcher.

Pitcher Thielman arrived here from the East yesterday to play with the local Nationals and Pitcher Cooper, who jumped from the Oakland team of the Pacific Coast League, will be here today.

FUGILISM.

LONG FIESTA CARD. If present plans can be arranged, Manager McCarey of the Century Club will have an interesting card in the prize-fight line for Fiesta week. The main event will be twenty rounds between Kid Carter and Sam McVey, and in addition to this, there will be three preliminaries. A six-round curtain-raiser between two fast boys will lead off the programme, and after this will come two ten-round preliminaries, and then the main event. The prelims have not been decided upon definitely as yet, but the intention is to have Buddy King and Swindells for one and Dixie Kid and Dutch Thurston for another. None of these are absolutely sure, but the chances are that they will be signed.

Following the Carter-McVey fight, Manager McCarey intends to revive the ten-round fight between the three ten-round contests in one evening instead of one main event.

Walcott-Smith.

Joe Walcott, who fought Woods here several weeks ago, is matched to meet Mysterious Billy Smith at Portland, Or., Thursday, May 1. Smith has won from Walcott, had a fight with him and lost to him twice, once on a foul. Walcott stated in San Francisco that he had Woods beaten all the way here, and that Referee Harry Stuart didn't know the game.

HOWARD CONFUSED.

Alleged Assassins of Goebel Contradict His Former Testimony in a Number of Important Points.

BY THE ASSOCIATED PRESS.—A.M. FRANKFORT (Ky.) April 20.—James R. Howard, on trial for the charge of killing Gov. Goebel, took the stand again today for further cross-examination. The witness declared he was in the Board of Trade Hotel when the crowd passed bearing the wounded man. He could give no description of the manner in which Goebel was being carried, and got considerably tangled on this point.

The cross-examination of Howard was completed shortly before noon. He contradicted himself on a number of important points, as compared with the record in former trials.

Mrs. Henry E. Youtsey is here, and will be called by the defense to contradict her husband's story as to the action made on the witness stand in the Howard trial. Youtsey's brother-in-law, Banker R. H. Witherspoon of Winchester, and other relatives, are also present for the same purpose.

Hitchcock to Retire.

OMAHA (Neb.) April 20.—It was announced at Union Pacific headquarters today that D. W. Hitchcock, general agent of the passenger department at San Francisco, has applied for retirement under the recently adopted pension system, and will be succeeded on May 15 by S. F. Booth, at present chief clerk in the office of Traffic Manager Stubbs, in Chicago.

ONE PRICE FURNITURE CARPETS DRAPERIES

Matting, 19c

(Regular 30c Quality.)

There are many reasons why we can sell regular 30c matting for 19c. In the first place we import the mattings direct and save all middlemen's profits. Then, too, we sell more first-class matting than all Los Angeles' stores combined. This matting is genuine Japanese goods; has linen warp, comes in attractive carpet designs, is made of fresh straw, and is absolutely perfect. There are no seconds in the lots.

BARKER BROS.
439-441 S. Spring St. LOS ANGELES, CAL.

Auction! Auction!

ORIENTAL RUGS

Thursday, Friday and Saturday,
April 23, 24, 25, at 10:30 a. m. and 2:30 p. m.

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MUSIC AND MUSICIANS.

Permanent Chorus.

Last evening at Simpson Auditorium the Los Angeles Permanent Chorus Society, Director J. A. Jahn, gave its initial concert. In spite of the many rival attractions, a goodly audience assembled and manifested strong appreciation of the work of the society. The programme consisted of part songs and choruses unaccompanied, save in the instance of Beethoven's "Nature's Praise of God," which was accompanied on the organ by Miss Blanche Rogers. It was an ambitious programme for a first concert, and made a strong plea for favor by the dignity and excellence of its numbers. It introduced the Los Angeles public to beautiful compositions, with which it has hitherto been unfamiliar, and it suggested a new and agreeable means of enjoyment and culture for all music-lovers.

Opening with Mendelssohn's "Judge Me, O God," the chorus at once demonstrated its right to a permanent place in the musical life of this city.

Above all, it testified to the thoroughness of the musicianship and painstaking conscientiousness of the conductor, Julius Albert Jahn. In the few short months of forming the chorus and rehearsing it, Mr. Jahn has achieved remarkable results. The enunciation, which in ninety-nine choruses out of a hundred, is unsatisfactory to say the least, in this chorus, is almost perfect, probably as perfect as it can be made. Shading also is excellent, and the work throughout is expressive. Balance will be better preserved when the membership has increased in numbers. For a first appearance it was a remarkably successful affair, and reflects great credit on leader and chorus.

Three especially beautiful numbers were Elgar's "Romance," Brahms's "In Stilly Night," and Tschakowsky's "Legend," all of them new to Los Angeles.

Singing variations in E flat minor for two pianos, was played on two belted-toned Chickering grand by J. J. Bloodgood-Kipp, who is a masterly work, and aroused much interest on this, its first performance here. Mrs. Bloodgood-Kipp was the soloist, singing Elgar's "Autumnal Gale," Bendix's "Mine," Allister's "Always Together," and two of Korbay's exquisite Hungarian songs, "Marinka" and "How Unkempt That Scarf." Mrs. Kipp is possessed of a gorgeous natural voice, contralto in quality, and of rich resonant timbre. In her singing it is nature's gift of tone alone that places the ear, for her technique is faulty. Her tones are ill placed, and, as a result, she strains the upper ones in order to produce her effects. Those who are satisfied with a voice and care nothing for the aesthetic side of vocal art, will find Mrs. Bloodgood-Kipp's singing eminently appealing. Her choice of songs could not have been happier. They were diverse, but all charming. The programme in full was as follows:

Psalm XLIII, "Judge Me, O God" (Mendelssohn), eight parts. "Night

Song" (Rheinberger); "O, My Love's Like a Red Wheel" (Garratt), chorus; "Autumnal Gale" (Elgar); "In Stilly Night," German folk song (Brahms); "The Vesper Hymn" (Beethoven), with solo quartette, chorus; variations, E flat minor, for two pianos (Bendix); Miss Coleman and Mr. Jahn; Hungarian songs (Korbay); "Marinka," "How Unkempt That Scarf," Mrs. Bloodgood-Kipp; "A Legend" (Tschakowsky); "The Alone" (Larsen), chorus; Peasant's Wedding March (Soederstrom), for women's voices; "Mine" (Max Bendix); "Always Together" (Allister); Mrs. Bloodgood-Kipp; "Nature's Praise of God" (Beethoven), chorus.

The solo quartette, which took part in the "Vesper Hymn," was composed of Miss Anna Mueller, soprano; Miss Conklin, contralto; Arthur Wiley, tenor, and Robert Granger, bass. Miss Blanche Rogers, who is past mistress of the gentle art of accompanying, plays for Mrs. Bloodgood-Kipp.

The concert was decidedly successful. Both conductor and chorus should take heart of grace, and attack the programme for their next public appearance with a will. It is to be hoped that the public will take special interest in this society, and help to put it upon a firm financial basis. Such a society is badly needed.

FOOTMAN FOR HUSBAND.

Countess Russell Thought She Was Marrying "Prince Athol Stuart de Modena" Instead of Lacey.

BY THE ASSOCIATED PRESS.—A.M. LONDON, April 20.—[By Atlantic Cable.] W. M. Brown, a footman, was remanded today at Portsmouth on the charge of making a false entry at the registry office there in the middle of December last, when, under the name of "Prince Athol Stuart de Modena," he married Countess Russell, who obtained a divorce from her husband, Earl Russell, on the ground of the Earl's bigamy, in marrying Mrs. Somerville in the United States.

Countess Russell was the first wife of Earl Russell. On March 25, 1901, she obtained a decree of divorce against the Earl on the ground of his bigamy in marrying Mrs. Mollie Somerville at Reno, Nev., the Earl having previously obtained a divorce from the Countess in the United States on the ground of desertion. The Earl was subsequently arrested in England on the charge of

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bigamy, was tried at the bar of the House of Lords, pleaded guilty, and was sentenced to three months' imprisonment as a first-class misdemeanant. The Countess's decree of divorce was made absolute October 25, 1901, and the Earl again married Mrs. Somerville October 31, 1901.

Countess Russell's maiden name was Mabel Edith Scott. She was the youngest daughter of the late Sir Claude Edward Scott.

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[NEWS REPORTS FROM TIMES CORRESPONDENTS.]

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